

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**



ADMINISTRATIVE ISSUANCE SYSTEM

DEPARTMENTAL ORDER NO. 1-2015 DATE: January 12, 2015

SUBJECT: Revised DDOT Sidewalk Installation Policy

I. PURPOSE

This policy establishes the standards of the District Department of Transportation (DDOT) for the installation of sidewalks on District roads.

DDOT's sidewalk policy was revised in 2009 to require a sidewalk on at least one (1) side of every street or roadway where pedestrians are legally permitted in the District. The Council of the District of Columbia subsequently enacted the "Priority Sidewalk Assurance Act of 2010" to require the installation of sidewalks when certain road construction activities take place, to establish minimum consultation requirements before a new sidewalk is installed, to establish certain design standards, and to provide for exemptions from the sidewalk installation requirement. DDOT's sidewalk policy was most recently revised in June of 2014 to reflect the requirements of the "Priority Sidewalk Assurance Act of 2010", but contained a process error which is corrected by this revision. In addition, clarifying edits are included in this revision.

DDOT's policy is that there should be a sidewalk on at least one (1) side of every street or roadway where pedestrians are legally permitted in the District of Columbia. For road segments that lack sidewalks on both sides of the street, DDOT's policy is that a sidewalk will be installed (except in limited circumstances) when a roadway reconstruction project, a curb and gutter installation project, or a curb and gutter replacement project is planned for that road segment. Where such construction is not planned, DDOT's policy is that priority be given to the installation of sidewalks that provide access to schools, parks and recreational facilities, transit stops, locations where substantial pedestrian safety risks exist, and roadway segments for which residents petitioned to have new sidewalks installed.

This policy is established to require the installation of new sidewalks, where needed, to ensure a safe and accessible environment for pedestrians and persons with disabilities. Additionally, this policy provides a consistent process for prioritizing the installation of

new sidewalks, providing public notice of pending construction, evaluating public comments, and exempting some street segments from the sidewalk installation requirements.

II. AUTHORITY

This policy is authorized by the District Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.* (2012 Repl.)) which, *inter alia*, charges DDOT with the responsibility to improve quality of life by planning and coordinating the transportation infrastructure, managing and maintaining the transportation infrastructure, and ensuring the safe and efficient movement of people and goods along public rights-of-way. Additionally, this policy is specifically authorized by the Priority Sidewalk Assurance Act of 2010, effective September 24, 2010, and the Priority Sidewalk Assurance Amendment Act of 2013, effective December 24, 2013 (D.C. Law 18-227, § 2, 57 DCR 6923; D.C. Law 20-61, § 6062, 60 DCR 12472 and codified at D.C. Code §§9-425.01 - 9-425.03 (2012 Repl.)), which requires the installation of certain sidewalks, establishes community consultation requirements, and provides exemptions from the sidewalk installation requirements.

III. RESCISSION OF DEPARTMENTAL ORDER NO. 6-2014

DDOT Sidewalk Installation Policy, Departmental Order No. 6-2014, dated June 17, 2014, is hereby rescinded in its entirety and replaced with the foregoing Revised DDOT Sidewalk Installation Policy.

IV. POLICY OVERVIEW

A. SIDEWALK INSTALLATION REQUIREMENTS

As is more fully described in section V.A of this Order, it is DDOT's policy that there should be a sidewalk on at least one (1) side of every street or roadway where pedestrians are legally permitted in the District of Columbia. To achieve this policy goal, the follow requirements shall apply:

1. For road segments that lack sidewalks on both sides of the street, a roadway reconstruction project, a curb and gutter installation project, or a curb and gutter replacement project shall include the installation of a sidewalk on at least one (1) side of the street.
2. For roadways that are missing sidewalks, but where no major construction project is currently planned, new sidewalk installation shall be prioritized for the following areas:
 - a. School areas;
 - b. Routes that provide access to parks and recreational facilities;
 - c. Transit stops;

- d. Locations where the absence of a sidewalk creates substantial pedestrian safety risks; and
- e. Roadway segments for which residents petitioned to have sidewalks.

B. DESIGN REQUIREMENTS

As is more fully described in section V.B of this Order, the following design requirements shall apply when DDOT is planning to install a new sidewalk:

- 1. DDOT shall design sidewalks in a manner that preserves the health of existing trees wherever possible.
- 2. DDOT shall consider pervious materials for the design and construction of sidewalks whenever feasible.

C. NOTICE REQUIREMENTS

As is more fully described in section V.C of this Order, DDOT shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards, prior to designing and constructing a new sidewalk.

D. EXEMPTIONS

As is more fully described in section V.D of this Order, the requirements of this policy shall not apply if the Director makes a written determination that it is impractical or unnecessary to install a sidewalk.

V. DETAILED POLICY; PROCESS

A. SIDEWALK INSTALLATION REQUIREMENTS:

The following priorities and considerations shall be applied when identifying and evaluating locations for new sidewalks:

- 1. A sidewalk shall be installed on at least one (1) side of a road segment when DDOT implements a roadway reconstruction project, a curb and gutter installation project, or a curb and gutter replacement project for that road segment, if the road segment lacks sidewalks on both sides of the street; provided:
 - a. DDOT's preference shall be to install a sidewalk on both sides of the road segment;

- b. Sidewalk may be installed on only one (1) side of the road segment based on an evaluation by DDOT's sidewalk gap team that includes the following criteria:
 - i. Cost;
 - ii. Feasibility based on constructability due to topography and tree conflicts; and
 - iii. Whether network connectivity is maintained by continuing the pedestrian pathway on the same side of the roadway from one block to the next;
 - c. If the new sidewalk installation will be coordinated with the installation of new roadway curb, the Policy, Planning, and Sustainability Administration (PPSA) shall coordinate the installation with the Infrastructure Project Management Administration (IPMA) or Street and Bridge Maintenance (SBM) as early as possible;
 - d. The sidewalk design requirements provided in section V.B have been considered and evaluated;
 - e. There has been compliance with all of the notice provisions per section V.C.
 - f. When PPSA has coordinated a new sidewalk installation with a planned IPMA project, the sixty (60) day notice of pending sidewalk construction is provided per section V.C by PPSA in coordination with the Office of Information Technology and Innovation's (OITI's) web site updates;
 - g. When IPMA has a planned project which includes new sidewalk installation, IPMA shall coordinate the construction schedule with PPSA and PPSA shall provide the sixty (60) day notice in coordination with OITI's website updates;
 - h. If requested, a determination shall be made by the Director as to whether the road segment may be exempted from the requirements of this policy per section V.D; and
 - i. The Director has not exempted the road segment from the sidewalk installation requirement per section V.D.
2. Where no construction project described in paragraph 1 of this subsection A is currently planned, new sidewalk installation on roadway segments that are missing sidewalks and identified by the sidewalk gap team as priority areas shall be prioritized by the sidewalk gap team for new sidewalk installation using a point system, with points allocated for the following:

- a. Proximity to schools, transit stops, parks and recreational facilities, including the level of pedestrian activity, particularly of children and persons with disabilities, in the areas near these facilities;
 - b. Current level of pedestrian safety risk, including the safety risk to children and persons with disabilities, based on the following:
 - i. Functional classification of the street;
 - ii. Vehicular traffic volume and speed; and
 - iii. Line-of-sight conditions;
 - c. Constructability; and
 - d. Community support.
3. Where no construction project described in paragraph 1 of this subsection A is currently planned, but funding is available and PPSA has determined that new sidewalk installation is needed and the priority for the installation has been established by the sidewalk gap team, the sidewalk shall be installed; provided:
- a. The sidewalk design requirements provided in section V.B have been considered and evaluated;
 - b. There has been compliance with all of the notice provisions per section V.C, including notice of pending new sidewalk construction provided pursuant to section V.C by PPSA in coordination with IPMA or SBM and OITI's web site updates;
 - c. If requested, a determination shall be made by the Director as to whether the road segment may be exempted from the requirements of this policy per section V.D; and
 - d. The Director has not exempted the road segment from the sidewalk installation requirement per section V.D.
4. PPSA shall continue to accept and consider sidewalk petition requests from residents, including petition requests circulated to the affected parties by residents living on surrounding blocks. To aid in facilitating the petition process, PPSA shall, in coordination with OITI's website updates, do the following:
- a. Add a "New Sidewalk Installation" listing under the "Streets and Sidewalks" services on the DDOT web site;
 - b. Maintain a page on the DDOT web site and the DDOT Compendium for new sidewalk installation requests which shall provide:

- i. A definition for a new sidewalk installation request that explains that this request only applies to sidewalk installation on a roadway segment that is missing sidewalks or a roadway segment where there is a sidewalk on only one (1) side of the street;
- ii. A process for residents to use when petitioning DDOT for a new sidewalk installation;
- iii. A downloadable petition form;
- iv. Steps DDOT will take once a petition is received with a response time for each step;
- v. A link from the Compendium to the DDOT web page dedicated to providing information pertaining to new sidewalk installation locations proposed by DDOT; and
- vi. A link to the current DDOT sidewalk installation policy.

B. DESIGN REQUIREMENTS

When designing new sidewalks, the following shall be required:

- 1. DDOT shall design and construct sidewalks in accordance with the current DDOT Design and Engineering Manual and DDOT Standard Specifications for Highways and Structures in a manner that preserves the health of existing trees wherever possible as follows:
 - a. Where severe negative impacts on street trees are encountered, the Chief Engineer may approve a sidewalk along only one (1) side of a street or roadway;
 - b. Trees shall be protected during construction per the “Trees, Shrubs, Vines and Groundcover” section of the current DDOT Standard Specifications for Highways and Structures;
 - c. To protect the roots of a mature tree, the sidewalk may be narrowed to an ADA-compliant width for an adequate distance adjacent to the base of the tree;
 - d. To protect the roots of a mature tree, the grade of the sidewalk may be raised to a level which will clear the roots per the following specifications:
 - i. Three inches (3 in.) to six inches (6 in.) of soil or other approved tree protection material shall separate the top of the roots from the bottom of the base layer material for the sidewalk; and

- ii The slope of the sidewalk leading to and from the elevated sidewalk area shall not exceed one inch (1 in.) of rise for every twelve inches (12 in.) of sidewalk length; and
 - e. If other methods for protecting the roots of a mature tree, such as narrowing or elevating the sidewalk, are found to be infeasible or impractical, the use of an alternative paving material such as Flexi-Pave shall be considered.
2. Whenever feasible, DDOT shall consider pervious materials for the design and construction of sidewalks. The use of pervious materials shall be consistent with the following:
- a. Low-Impact Design (LID) and Green Infrastructure (GI) Design Manual: Supplement to the DDOT Design and Engineering Manual or the current equivalent;
 - b. LID and GI Specifications: Supplement to the DDOT Standard Specifications for Highways and Structures or the current equivalent; and
 - c. LID and GI Drawing Details: Supplement to the DDOT Standard Drawings or the current equivalents.

C. NOTICE REQUIREMENTS:

Regarding the installation of new sidewalks and public transparency, the following notice shall be required:

- 1. DDOT shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards prior to designing and constructing new sidewalks. At a minimum, this notice shall include:
 - a. A notice of intent to design and construct a new sidewalk no less than sixty (60) days before construction is scheduled, including a thirty (30) day period for public comment on the proposed design;
 - b. A statement of how parties can comment on the proposed new sidewalk, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the proposed sidewalk; and
 - c. A construction schedule.
- 2. When a new sidewalk installation is being coordinated with the installation of new roadway curb, notice shall be provided as early as possible to allow time to resolve any objections to the sidewalk installation prior to the scheduled construction of the new roadway curb.

3. The recommendations of the affected Advisory Neighborhood Commission shall be given great weight, as that term is described in section 13(d)(3)(A) of the Advisory Neighborhood Councils Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(d)(3)(A)).
4. PPSA shall, in coordination with OITI, maintain a page on the DDOT web site dedicated to providing the following information pertaining to proposed new sidewalk construction:
 - a. A table of proposed new sidewalk construction listing the following:
 - i. Locations where new sidewalk construction is proposed;
 - ii. Dates when notices were issued for proposed new sidewalk construction and when comments are due;
 - iii. Links to the notices and any Advisory Neighborhood Commissions resolutions or public comments received by DDOT in response to the notices for new sidewalk construction and the DDOT responses;
 - iv. A link to any written determination by the Director that DDOT is exempt from the requirement to install the sidewalk pursuant to section V.D; and
 - v. Estimated dates when new sidewalk construction may commence.
 - b. A statement of how affected parties can comment on proposed new sidewalk installations, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the new sidewalk installation proposal;
 - c. A statement explaining that the Director may exempt a roadway segment from the sidewalk installation requirement and the list of criteria shown in subsection V.D.1, which shall be used by the Director in making this determination;
 - d. A link to the DDOT web site page pertaining to petition requests for new sidewalk installations; and
 - e. A link to the current DDOT sidewalk installation policy.

D. EXEMPTIONS:

1. The Director may exempt a sidewalk from the requirements of this policy upon a written determination by the Director that it is impractical or unnecessary to install a new sidewalk because:

- a. The physical site conditions would make it unduly expensive to construct the sidewalk;
 - b. The sidewalk would not be used by pedestrians;
 - c. The Director certifies that, due to the specific nature or design of the road segment under consideration, pedestrian travel can be safely accommodated without sidewalks, including travel by children and people with disabilities;
 - d. There would be damage to park land by the construction of the sidewalk on park land; or
 - e. The District would be required to acquire an easement or property interest to establish the sidewalk.
2. The written determination shall be posted on the DDOT website and made available to the Council and the affected Advisory Neighborhood Commissions via links displayed on the table required by paragraph V.C.4.a.

VI. DEFINITIONS

When used in this Departmental Order, the following terms and phrases shall have the meaning ascribed:

ADA – the Americans with Disabilities Act of 1990, approved July 26, 1990, Pub. L. 101-336, 42 U.S.C. § 12101 *et seq.*

Affected parties - residents with property abutting the road segment under consideration for the installation of a new sidewalk.

Curb and gutter installation – a DDOT project where new curb and gutter is constructed where no curb existed before.

Curb and gutter replacement – a DDOT project where the curb and gutter is replaced.

New sidewalk installation – the installation of a sidewalk along a roadway segment where no sidewalk previously existed.

Pedestrian safety risk – when no sidewalk exists or exists only on one (1) side of the street and the risk to pedestrians who walk in the roadway is high due to the volume of vehicular traffic, the speed of traffic, a limited vehicular line-of-sight, or a combination of these factors.

Priority area – roadway segments which do not have sidewalks or only have a sidewalk on one side and the volume of pedestrian traffic is high due to its proximity to a school, transit stop, park, or recreational facility or there is a substantial safety risk to pedestrians who walk in the roadway, or residents have petitioned for a sidewalk.

Road reconstruction – a DDOT project where the roadbed, roadway, sidewalk, curb and gutter are replaced per current standards, and may include upgrades to utility infrastructure located within the ROW.

Sidewalk design – may be text, a photographic example, or a detailed design drawing which is sufficient to verify the placement and character of the sidewalk.

Sidewalk gap team – a DDOT team which identifies priority areas and prioritizes new sidewalk installations. The team is currently composed of individuals from PPSA, Asset Management, SBM, the Urban Forestry Administration, and the Office of the Director.

VII. ISSUANCE APPLICABILITY

This Order is to be given to each DDOT employee for his or her review based on the applicability of this policy to his or her job.

VIII. EFFECTIVE DATE

This policy shall become effective immediately upon the execution of this Order.



Leif A. Dormsjo
Acting Director

11/21/15

Date